



MINUTES  
DECEMBER 6, 2006

Mr. Deeb made a motion to close the public hearing. Mr. Urice seconded the motion and it was passed unanimously. Mr. Urice then made a motion to move this matter to number three under the Old Business on tonight's agenda. Mr. Deeb seconded the motion and it was passed unanimously.

[illegible]

Roche Development LLC as Contract Purchaser – Application for eight (8) lot subdivision (15.236 acres) “Cannonball Estates” in the RA-40 Zone – Cannonball Dr. (#E19005) – Subdivision Code #06-08. This application has already received EIC approval. *Public hearing opened 9/6/06 – 35 days was up 10/11/06 – 35 day extension granted to 11/15/06 – Additional extension granted to 12/6/06.*

Attorney Paul Jaber and Project Engineer John LaFonte spoke in favor of this. The applicant, Gerald Roche was also present. Attorney Jaber said this was continued pending receipt of the Engineering Dept. final report which has been received. The report requested sidewalks be installed but they do not think they are necessary as they will not connect to any other sidewalks. Additionally, they are not close enough to a school to require them and most of the time with subdivisions of this size the residents don't want sidewalks in an effort to maintain the rural character of the area. Attorney Jaber then said it is ultimately the Commission's decision. Mrs. Emminger then said that the Engineering Dept. determined that the post-runoff is less than the pre-development runoff was, so this is not making the situation worse. It does comply with the City standards. They did pay extra attention to the neighbor's concerns about the drainage when reviewing the plans. Mr. Urice asked about deed restriction for the proximity to the Airport. Mrs. Emminger said that would be included as a condition in the resolution of decision.

Chairman Finaldi asked if there was anyone to speak in opposition to this and there was no one.

Mr. Urice made a motion to close the public hearing. Mr. Deeb seconded the motion and it was passed unanimously. Mr. Urice then made a motion to move this matter to number four under the Old Business. Mr. Deeb seconded the motion and it was passed unanimously.

Chairman Finaldi then announced they would be changing the order of the next two matters and discussing “Savannah Hills” before “Burger King”.

Sycamore Trails Group LLC – Application for twelve (12) lot subdivision (33.49 acres) “Savannah Hills” in the RA-80 Zone – 193-207 Great Plain Rd. (#J04084, #J04085, #J05099, #J05100) – Subdivision Code #06-09. This application has not yet received EIC approval. *Public hearing opened 11/1/06 – 35 days will be up 12/06/06.*

Mrs. Emminger said we had received an extension to January from the applicant. Mike Mazzucco said they had met with the Planning Staff and went over the issues. That resulted in them submitting revisions today, with some changes to the drainage and some cleanup work. They did discuss the possibility of combining driveways but it does not seem to be possible without obtaining a variance from the ZBA. They revised some of the lots to change some driveway design and added detention basins in several places eliminating needing to use the wetlands for that purpose. Mrs. Emminger asked if they would be using the soil that is there as fill since it is so rocky. Mr. Mazzucco said they would crush it first. Mrs. Emminger asked if they would have to bring fill in to be able to construct the road as that would be a disruption to the neighborhood. Mr. Mazzucco said it would actually be a balance between the cut and fill. Mrs. Emminger asked him to give them an analysis of the amount of prep work to be done before the road is built. She then mentioned the blasting analysis we had been provided for the Damia project on Clapboard Ridge Rd. and suggested they might request one for this project. Mr. Mazzucco asked exactly what this analysis consisted of. Mrs. Emminger explained

North Street Shopping Center – Application for Special Exception/Revised Site Plan to allow use (“Burger King”) generating in excess of 500 vehicle trips per day – 1 Padanaram Rd. (#H11258) – SE #500. This application has already received EIC approval. *Public hearing opened 9/6/06 – 35 days was up 10/11/06 – 35 day extension granted to 11/15/06. – Additional extension granted to 12/6/06.*



Mrs. Emminger distributed a resolution of decision. She said the language regarding the deed restriction is included as discussed: *“Prior to the issuance of a Certificate of Zoning Compliance by the Zoning Enforcement Officer for any residential structure within the subdivision: The applicant shall obtain evidence from the Planning and Zoning Department stating that the following language “The grantor reserves to itself and to its successors for the benefit of the Danbury Municipal Airport, the right of said Airport to create sounds incidental to the operation of aircraft or rotocraft in said airspace above the premises” has been incorporated into the deed of each subdivided lot and said evidence shall be presented to the Zoning Enforcement Officer.”* Mr. Urice made a motion to approve this application per the resolution dated today. Mr. Deeb seconded the motion and it was passed unanimously.

[illegible]

At 10:15 PM, Mr. Deeb made a motion to adjourn. Mr. Urice seconded the motion and it was passed unanimously.